

BILL NO. Z-80-05-27

ZONING MAP ORDINANCE NO. Z-

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. P-27.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:


SECTION 1. That the area described as follows is hereby designated a B-1-B District under the terms of Chapter 33, of the Code of the City of Fort Wayne, Indiana, 1974; and the symbols of the City of Fort Wayne Zoning Map No. P-27, referred to therein, established by Section 33-11, of said Chapter are hereby changed accordingly, to-wit:

Lot #7 in Curde's South Acres Addition to the City of Fort Wayne, Indiana excepting therefrom the East 90.0 feet thereof and also excepting therefrom the West 25.0 feet thereof for Bauer Avenue right-of-way and also excepting therefrom the South 40.0 feet thereof for Tillman Road right-of-way.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.


COUNCILMEMBER

APPROVED AS TO FORM AND LEGALITY MAY 23, 1980.


JOHN E. HOFFMAN
City Attorney

Read the first time in full and on motion by Eustach,
seconded by Nuckols, and duly adopted, read the second time
by title and referred to the Committee Regulation (and the City
Plan Commission for recommendation) and Public Hearing to be held after
due legal notice, at the Council Chambers, City-County Building, Fort Wayne,
Indiana, on , 19 , the day of ,
at o'clock M., E.S.T.

DATE: 5-27-80

Charles W. Westerman
CHARLES W. WESTERMAN
CITY CLERK

Read the third time in full and on motion by Eustach,
seconded by Row, and duly adopted, placed on its
passage. PASSED (LOST) by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT:
TOTAL VOTES	<u>0</u>	<u>9</u>	<u> </u>	<u> </u>	<u> </u>
BURNS	<u> </u>	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
EISBART	<u> </u>	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
GiaQUINTA	<u> </u>	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
NUCKOLS	<u> </u>	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
SCHMIDT, D.	<u> </u>	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
SCHMIDT, V.	<u> </u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
SCHOMBURG	<u> </u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
STIER	<u> </u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
TALARICO	<u> </u>	<u>X</u>	<u> </u>	<u> </u>	<u> </u>

DATE: 7-8-80

Charles W. Westerman
CHARLES W. WESTERMAN - CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne,
Indiana, as (ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL)
(APPROPRIATION) ORDINANCE (RESOLUTION) No.
on the day of , 19 .

ATTEST: (SEAL)

Charles W. Westerman - CITY CLERK

 PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on
the day of , 19 , at the hour of
 o'clock M., E.S.T.

Charles W. Westerman - CITY CLERK

Approved and signed by me this day of
19 , at the hour of o'clock M., E.S.T.

Winfield C. Moses, Jr.
MAYOR

BILL NO. Z-80-05-27

REPORT OF THE COMMITTEE ON REGULATIONS

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS REFERRED AN
ORDINANCE amending the City of Fort Wayne Zoning Map No. P-27

HAVE HAD SAID ORDINANCE UNDER CONSIDERATION AND BEG LEAVE TO REPORT
BACK TO THE COMMON COUNCIL THAT SAID ORDINANCE ~~DO NOT~~ PASS.

BEN EISBART, CHAIRMAN

JOHN NUCKOLS, VICE CHAIRMAN

JAMES S. STIER

SAMUEL J. TALARICO

DONALD J. SCHMIDT

Handwritten signatures and initials:
Herb Ellinger, Ben Eisbart
John Nuckols
Just
Samuel J. Talarico
DJ Schmidt

7-9-80
DATE 7-9-80 CONSIDERED IN
CHARLES W. WESTERMAN, CITY CLERK

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on May 27, 1980, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-80-05-27; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on June 16, 1980;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO NOT PASS for the reasons that no need has been shown for the Land Use Plan to be amended, the amendment will not be in the best interest of and benefit to the area involved and of and to the City, and the amendment will be detrimental to and conflicts with the overall City Plan; and,

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held June 23, 1980.

Certified and signed this
24th day of June 1980.

Tu. Joyce Schlatter

Joyce Schlatter
Secretary

Gray Line BUSINESS FORM—PRODUCT OF WILSON JONES

RECEIPT

Date

12 ~~May~~ 1980

No.

10977

Received From

Sandra Gifford

Address

4007 Citra St

For

Regone RA to B/B

Dollars \$

50.00

ACCOUNT

HOW PAID

AMT. OF
ACCOUNT

CASH

AMT. PAID

CHECK

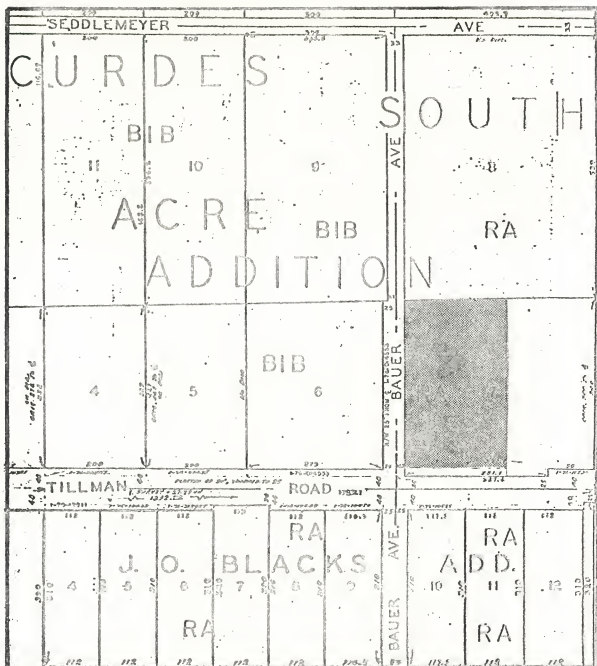
BALANCE
DUE

MONEY
ORDER

By

RAB.

2325 Wilman Road



REQUEST TO REZONE FROM RA TO BIB

Map No P-27

Z-80-05-27

N



THIS FORM HAS BEEN APPROVED BY THE INDIANA STATE BAR ASSOCIATION FOR USE BY LAWYERS ONLY. THE SELECTION OF A FORM OF INSTRUMENT, FILLING IN BLANK SPACES, STRIKING OUT PROVISIONS AND INSERTION OF SPECIAL CLAUSES, CONSTITUTES THE PRACTICE OF LAW AND MAY ONLY BE DONE BY A LAWYER.

Mail tax bills to: 3015 Oxford, Fort Wayne, Indiana 46806

WARRANTY DEED

80- 01255

This indenture witnesseth that CYNTHIA F. HAMLET, married and over the age of eighteen (18) years.

of Allen County in the State of Indiana

Convey and warrant to CYNTHIA F. HAMLET and SANDRA J. GRIMM, tenants in common.

of Allen County in the State of Indiana
for and in consideration of One (\$1.00) Dollar and other valuable consideration,
the receipt whereof is hereby acknowledged, the following Real Estate in Allen County
in the State of Indiana, to wit:

Lot #7 in Curdo's South Acres Addition to the City of Fort Wayne, Indiana excepting therefrom the East 90.0 feet thereof and also excepting therefrom the West 25.0 feet thereof for Bauer Avenue right-of-way and also excepting therefrom the South 40.0 feet thereof for Tillman Road right-of-way.

This conveyance is subject to all taxes and assessments, all building and zoning laws, rights-of-way for public highways, and all easements and restrictions of record.

Also subject to a mortgage in favor of First Federal & Loan Association of Fort Wayne, Indiana, which mortgage the grantees agree to assume and pay according to its terms.

This deed is made for the sole purpose of placing title to the above-described real estate in the names of the grantees as tenants in common, and is not a sale.

State of Indiana, Allen County, ss:
Before me, the undersigned, a Notary Public in and for said County and State, this 20th day of December, 1979
personally appeared: CYNTHIA F. HAMLET, married
and over the age of eighteen (18) years.

Dated this 20th day of December, 1979

Cynthia F. Hamlet Sub
Cynthia F. Hamlet

DULY ENTERED FOR TAXATION Sub

JAN 15 1980

William J. Hargis Sub
WILLIAM J. HARGIS

2325 Tillman Road

I/We Sandra J. Griffith & Cynthia F. Hamlet

(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne, Indiana, by reclassifying from a/an RA District to a/an B1B District the property described as follows:

Lot #7 in Curde's South Acres Addition to the City of Fort Wayne, Indiana

excepting therefrom the East 90.0 feet thereof and also excepting therefrom

the West 25.0 feet thereof for Bauer Avenue right-of-way and also excepting

therefrom the South 40.0 feet thereof for Tillman Road right-of-way.

(Legal Description) If additional space is needed, use reverse side.

2325 Tillman Road

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

<u>Sandra J. Griffith</u>	<u>4607 Gretna Ave.</u>	<u>46806</u>
<u>Cynthia F. Hamlet</u>	<u>2325 Tillman</u>	<u>46816</u>
(Name)	(Address & Zip Code)	(Signature)

(If additional space is needed, use reverse side)

Legal Description checked by _____

NOTE FOLLOWING RULES

All requests for continuances or requests that ordinances be taken under advisement shall be filed, in writing, in the office of Community Development and Planning, by noon on the Wednesday preceding the meeting of the City Plan Commission at which the ordinance is to be considered. If the request for a continuance or advisement is filed within the required time, the matter will not be put on the agenda for the meeting. It shall be the obligation of the petitioner to notify the same property owners which the Plan Commission had notified by mail that the hearing has been postponed or rescheduled and inform them of the time and place of the meeting at which the ordinance will be considered. All withdrawals of the ordinances must be made in writing prior to the Plan Commission's vote on the ordinance. (FILING FEE: \$50.00)

Name and address of the preparer, attorney or agent.

Sandra Griffith

(Name)

4006 Gretna Avenue / City 06

(Address & Zip code)

(Telephone Number)

COMMUNITY DEVELOPMENT AND PLANNING / Division of Long Range Planning and Zoning (CITY PLAN COMMISSION) / Room # 830, City-County Building, One Main Street / Fort Wayne, Indiana 46802 (Phone: 423-7571)

Applicants, Property owners and preparer shall be notified of the Public Hearing approximately ten (10) days prior to the meeting.

Legal Description of property to be rezoning

Owners of Property

<i>Sandra J. Griffith</i>	<i>4007 Grebra Ave</i>	<i>46826</i>
<i>Cynthia F. Hamlet</i>	<i>2325 Tillman Rd</i>	<i>Cynthia Hamlet</i>

(Name)

(Address & Zip Code)

(Signature)

DIGEST SHEET

TITLE OF ORDINANCE Zoning Ordinance Amendment 3-80-05-27DEPARTMENT REQUESTING ORDINANCE Long Range Planning & Zoning - CD&PSYNOPSIS OF ORDINANCE Lot #7 in Curdes South Acres Addition more commonly known
as 2325 Tillman Road.EFFECT OF PASSAGE Property is now zoned RA - Suburban Residential. Property
will become B-1-B - Limited Business.EFFECT OF NON-PASSAGE Property will remain RA - Suburban Residential.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) _____

(ASSIGN TO COMMITTEE (J.N.) _____)



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

24 June 1980

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a copy of a resolution pertaining to one (1) zoning ordinance amendment acted upon by the City Plan Commission at their regular meeting held June 23, 1980. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance involved.

1. Bill No. Z-80-05-27
2. From R-A to B-1-B
3. Intended Use: No intended use given.
4. Plan Commission Recommendation: DO NOT PASS

This ordinance received a DO NOT PASS recommendation for the following reasons:

- a. The use of the land east of Bauer Avenue is residential.
- b. There is ample undeveloped commercial land in the northwest quadrant of Bauer and Tillman Road.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

COMMUNITY DEVELOPMENT AND PLANNING

Gary E. Baeten
Gary E. Baeten
Senior Planner

GFB:pb

Attachments